

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**FRED BECK, ET AL.,**

**PLAINTIFFS,**

**VS.**

**CIVIL ACTION NO. 3:03CV60-P-D**

**KOPPERS INDUSTRIES, INC., ET AL.,**

**DEFENDANTS.**

**ORDER**

This matter comes before the court upon Defendants' Rule 72 Objections to Judge Davis's November 17, 2004 Order [160-1]. Upon due consideration of the objections and the responses thereto the court finds as follows, to-wit:

Because on this day the court has granted the defendants' motion to sever, the instant objections are moot and should therefore be overruled.

**IT IS THEREFORE ORDERED AND ADJUDGED** that Defendants' Rule 72 Objections to Judge Davis's November 17, 2004 Order [160-1] are hereby **OVERRULED**.  
**SO ORDERED** this the 14<sup>th</sup> day of April, A.D., 2005.

/s/ W. Allen Pepper, Jr. \_\_\_\_\_  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE